

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

CLINT DESTINO,

Plaintiff,

v.

Civ. No. 20-397 MV/GJF

CENTURION MEDICAL SERVICES *et al.*,

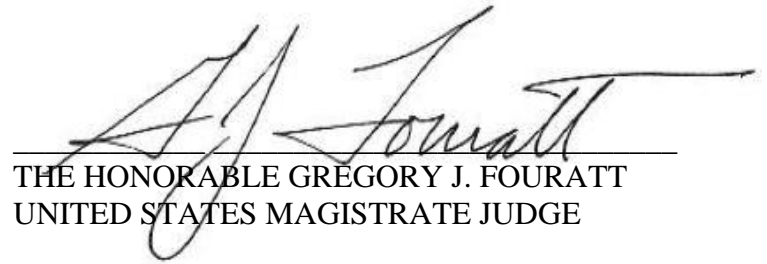
Defendants.

**ORDER DENYING MOTION TO SUBMIT EVIDENCE**

THIS MATTER is before the Court on Plaintiff's Motion to Submit Time Line [sic] Evidence [ECF 6] (Motion). Plaintiff is incarcerated and proceeding *pro se*. He filed the Motion in connection with his Civil Tort Complaint [ECF 1-2], which alleges prison officials provided inadequate medical care. Prisoner complaints against government officials are subject to *sua sponte* screening. See 28 U.S.C. § 1915A(a). If the allegations in the complaint state a facially meritorious claim, the Court typically orders an answer. See 28 U.S.C. § 1915A. If, however, the allegations are "frivolous, malicious, or fails to state a claim upon which relief may be granted," the complaint will be dismissed. 28 U.S.C. §§ 1915(e); 1915A(b)(1). Because the screening function is not complete, it is premature to consider evidence or facts outside of the Complaint. See *Mobley v. McCormick*, 40 F.3d 337, 340 (10th Cir. 1994) (when determining whether a complaint states a cognizable claim, review is generally limited to "the allegations within the four corners of the complaint.").

**IT IS THEREFORE ORDERED** that Plaintiff's Motion to Submit Time Line Evidence [ECF 6] is **DENIED WITHOUT PREJUDICE**. Plaintiff may renew his request to submit evidence if the case survives screening and/or supplement his factual allegations by requesting leave to file an amended complaint.

**SO ORDERED.**



THE HONORABLE GREGORY J. FOURATT  
UNITED STATES MAGISTRATE JUDGE